

JUL 11 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/043,657
Applicant : Skillern
Filed : January 8, 2002
TC/A.U. : 3727
Examiner : Cronin
Docket No. : HYD-8-P
Customer No. : 29698

Attention: Office of Finance
Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Refund

Sir:

A petition to revive the above-captioned application was granted as is evidenced by the attached letter received from the Office of Petitions mailed July 5, 2005. On page 2 of that letter it is noted that the \$1020 extension of time fee which was submitted with the petition was unnecessary and it is suggested that a refund may be requested from the Office of Finance. Accordingly, Applicant requests such refund.

Please address any inquiries to Applicant's representative at the below-indicated address.

Respectfully submitted,

Leigh Gregory
Leigh C. Gregory
Reg. No. 33,241

7-11-05

P.O. Box 168
Clemson, SC 29633-0168
757-642-6039

Application No. 10/043,657

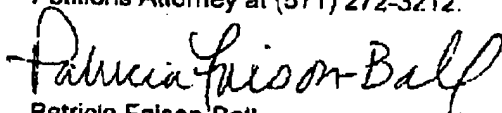
Page 2

Petitioner has submitted a Request for Continued Examination (RCE) and the amendment filed October 15, 2004 as the submission required under 37 CFR 1.114.

Petitioner has also requested a three month extension of time with the petition to revive. Pursuant to 37 CFR 1.136 however, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$1020.00 extension of time fee submitted with the petition on April 8, 2005, was subsequent to the maximum period obtainable for reply, the fee is unnecessary. Petitioner may request a refund from the Office of Finance.

This matter is being referred to Technology Center 3727 for processing of the RCE and submission.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (571) 272-3212.



Patricia Falson-Ball
Senior Petitions Attorney
Office of Petitions

LEIGH P. GREGORY
ATTORNEY AT LAW

P.O. BOX 168
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JUL 11 2005

PATENTS, TRADEMARKS & COPYRIGHTS

DATE: July 11, 2005
TO: USPTO
Fax: 571-273-8300
RE: U.S. Serial No. 10/043,657
Our file: HYD-8-P; SKIL-001CON

Pages (including cover): 4 pages

Contents:

Transmittal Form (1 pg.)
Request for Refund with attachment(3 pgs.)

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PTO/SB/22 (12-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fee pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-105))		Docket Number (Optional) H4D-8-P	RECEIVED CENTRAL FAX CENT.
Application Number 10/043,657		Filed 01/08/2002	APR 08 2005
For Hydration Pouch with Integral Thermal Medium			
Art Unit 3727		Examiner Young	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ 1020
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____ I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number **BBONNER 88888889 16843657**
09/12/2005 **02 FC:1253** **1820.00 OP**

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Leigh P. Gregory **09/08/05**
Signature Date

Leigh P. Gregory **864-376-1444**
Typed or printed name Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PAGE 5/6 * RCVD AT 4/8/2005 11:30:32 AM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/2 * DNIS:8729306 * CSID:8646544315 * DURATION (mm:ss):03-00

Adjustment date: 09/07/2005 SDIRETA1
04/11/2005 BBONNER 00000009 10043657
02 FC:1253 -1020.00 OPRefund Ref:
09/07/2005

Credit Card Refund Total: \$1020.00

Am Exp.: XXXXXXXXXXXX3004

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